

REMARKS/ARGUMENTS

Initially, Applicants would like to express appreciation to the Examiner for the detailed Official Action provided.

Applicants would also like to thank the Examiner for the indication that claims 6, 11 and 19 contain allowable subject matter.

Upon entry of the above amendments, the Abstract will have been replaced, and the Specification and claims 1-22 will have been amended. Claims 1-46 are currently pending, with claims 21-46 being withdrawn from consideration. Applicants respectfully requests reconsideration of the outstanding objection and rejection, and allowance of all the claims pending in the present application.

Objection to the Specification

In the Official Action, the Examiner objected to the Specification. In this regard, Applicants submit that the Specification has been amended, where appropriate, in order to address the Examiner's concerns.

Accordingly, Applicants submit that the objection to the Specification is believed to be moot and should be withdrawn.

Objection to the Abstract

In the Official Action, the Examiner objected to the abstract. In this regard, Applicants submit that the Abstract has been replaced in order to address the Examiner's concerns.

Accordingly, Applicants submit that the objection to the Abstract is believed to be moot and should be withdrawn.

Rejection under 35 U.S.C. § 112

In the Official Action, the Examiner rejected claims 1-20 under 35 U.S.C. § 112, second paragraph. Without acquiescing to the propriety of the Examiner's rejection, Applicants submit that claims 1-20 have been amended, where appropriate, solely in order to address the Examiner's concerns.

In particular, the Examiner asserts that it is unclear whether Applicants intend to positively claim "the washing water." Applicants submit that the washing water is recited functionally to explain an operation of the nozzle device. In this regard, the recitation of "the washing water" in the claims merely indicate that there is antecedent basis for the recitation in a preceding line of the claim.

Further, Applicants submits that the claims have been amended (where appropriate) to replace the recitation of "spray space" with --internal space--. Applicants respectfully direct the Examiner's attention to, e.g., Figure 16(b) of the present disclosure which illustrates features of a non-limiting embodiment of the presently claimed internal space.

Further, Applicants submit that the dependency of claim 18 has been changed from claim 17 to depend on claim 2, i.e., in order to avoid any contradiction in claim recitations.

Further, Applicants submit that claim 20 recites a front end of the *spray member* and a front end of the *cover member*, these front end features being different from each other.

Further, Applicants have amended each of the claims, where appropriate, in order to provide clearer antecedent basis for certain claim recitations.

Accordingly, Applicants submit that the rejection of claims 1-20 under 35 U.S.C. § 112, is improper and should be withdrawn.

Rejection under 35 U.S.C. § 103

In the Official Action, the Examiner rejected claims 1-5, 7-10, 14-17 and 20 under 35 U.S.C. § 103(a) as being unpatentable over BODELIN (U.S. Patent No. 5,873,524).

Without acquiescing to the propriety of the Examiner's rejection, Applicants have amended claim 1 solely in order to expedite prosecution of the present Application.

In particular, Applicants note that amended claim 1 recites a nozzle device, including: a spray hole for spraying washing water; a pipe forming a first flow path that introduces the washing water to the spray hole; and a cover member having the spray hole, the cover member surrounding the pipe, the cover member being integrally formed of a cylindrical metal, and a front end of the cover member being closed so as to prevent the washing water from exiting therethrough, a space between an outer surface of the pipe and an inner peripheral surface of the cover member forming a second flow path that introduces the washing water to the spray hole, wherein the second flow path is configured to surround the outer surface of the pipe in a circumferential direction of the cover member.

In setting forth the rejection, the Examiner acknowledges that BODELIN “fails to show a closed ‘front end’ in the cover member 17/10.” Nevertheless, the Examiner takes the position that BODELIN teaches “the cover member being connected to means for feeding liquid such as a pump.” Thus, the Examiner concludes that it would have been obvious to have “closed the cover member at this front end so nothing from outside the means for feeding liquid may enter the cover member/nozzle.” See Page 7, lines 10-14, in the Official Action.

Contrary to the Examiner’s assertions, Applicants submit that there is no proper reasoning to modify BODELIN as suggested by the Examiner.

In this regard, Applicants submit that the device in BODELIN is a device for spraying a liquid product into a working space (see Column 1, lines 7-10 in BODELIN). More specifically, Applicants submit that in BODELIN the free end of the pipe 10 opens out directly inside a working space 21 (see Column 3, lines 57-60 in BODELIN).

Therefore, Applicants submit that if the front end (free end) of the pipe 10 was modified to be closed, as suggested by the Examiner, the device would be prevented from spraying a liquid into the working space 21. In other words, Applicants submits that the Examiner’s proposed modification would destroy an object of the invention of BODELIN.

Therefore, Applicants submit that BODELIN, alone or with any proper reasoning, fails to disclose at least the presently claimed front end of the cover member being closed so as to prevent the washing water from exiting therethrough, as recited in amended claim 1.

Accordingly, Applicants submit that the rejection of claims 1-20 under 35 U.S.C. § 103(a) is improper and should be withdrawn.

In view of the arguments herein, Applicants submit that independent claim 1 is in condition for allowance. With regard to dependent claims 2-20, Applicants assert that these claims are allowable on their own merit, as well as because they depend from independent claim 1, which Applicants have shown to be allowable.

Additionally, Applicants respectfully request rejoinder of claims 21 and 22 since these claims depend indirectly from claim 1, which Applicant has shown to be allowable.

Thus, it is respectfully submitted that all of the claims in the present application are clearly patentable over the references cited by the Examiner, either alone or in combination, and an indication to such effect is respectfully requested, in due course.

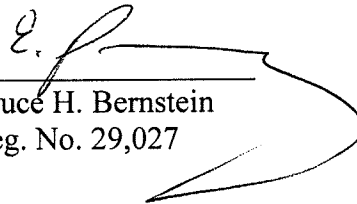
SUMMARY

Applicants submit that the present application is in condition for allowance, and respectfully requests an indication to that effect. Applicants have argued the allowability of the claims and pointed out deficiencies of the applied reference. Accordingly, reconsideration of the outstanding Official Action and allowance of the present application and all the claims therein are respectfully requested and is now believed to be appropriate.

Applicants submit that this amendment is being made to advance prosecution of the application to allowance and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejection is made by the present amendment. All other amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding the present response or this application, the Examiner is respectfully invited to contact the undersigned at the below listed number.

Respectfully Submitted,
Ryouichi KOGA et al.



Bruce H. Bernstein
Reg. No. 29,027

December 6, 2010
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Enoch E. Peavey
Reg. No. 57,686